

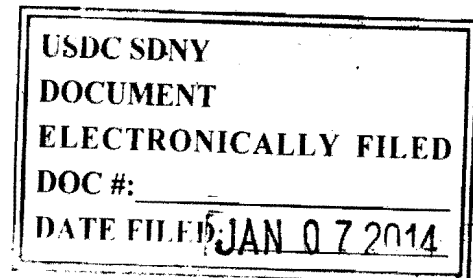
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January 6, 2014

Honorable Katherine B. Forrest
United States District Court Judge
Southern District of New York
500 Pearl St.
New York, New York 10007



Re: United States v. Cole et.al.
12 CR 802 (KBF)

Your Honor,

I am writing this letter seeking an extension of time to file a Pre-Sentence Memo and adjourn the Sentence date. As of now both mine and Mr. Heinrich's Pre-Sentence Memo's are due on January 14th with the Fatico hearing scheduled for the 15th and Sentencing on the 17th. Mr. Heinrich and myself are both a little confused as to how to write a Pre-Sentence Memo prior to the Fatico Hearing and then proceed to sentencing within 48 hours of completing the Fatico Hearing. We have spoken to the Government and they also are concerned about the schedule. Both Mr. Heinrich and myself would most respectfully request that the Pre-Sentence Memos be adjourned to a date after the Fatico Hearing and that the Sentence in this matter also be adjourned accordingly.

We have informed the Government already that the issues for the Fatico Hearing are whether or not one of the complainants was in fact sexually assaulted as alleged and whether a ransom was demanded. The facts surrounding these issues clearly impact on any Pre-Sentence memos the defense plans to file in this matter.

Thank you very much for your consideration of this matter.

Respectfully yours,

David Touger

cc: AUSA Parvin Moyne
Benjamin Heinrich, Esq.

ordered
Sentencing adjourned to
1/30/14 at 10 am.
Submissions for defense
would be due
1/24/14.

1/7/14

1 - B. For
WISJ